United Nations A/HRC/38/39/Add.1

General Assembly

Distr.: General
23 April 2018

Original: English

Human Rights Council
Thirty-eighth session
18 June–6 July 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Report of the Special Rapporteur on the human rights of internally displaced persons on her visit to El Salvador

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Special Rapporteur on the human rights of internally displaced persons, Cecilia Jimenez-Damary, on her visit to El Salvador.

El Salvador is experiencing an epidemic of generalized, gang-related violence, with homicide levels above most conflict-affected countries. As a consequence of this extremely unfortunate situation, there are extremely high levels of internal displacement. The Special Rapporteur considers that the challenge of internal displacement is a hidden and publicly unacknowledged crisis in El Salvador. Victims of violence and internal displacement commonly have to take their safety and protection measures into their own hands due to the lack of an effective State protection system for internally displaced persons. While the difficulties facing the Government are significant, fully acknowledging the challenges of internal displacement is an essential yet currently missing step in effectively confronting the crisis and providing the necessary protection and durable solutions for internally displaced persons.

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Report of the Special Rapporteur on the human rights of internally displaced persons on her visit to El Salvador*

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* Circulated in the language of submission and in Spanish only.

I. Introduction

1. The Special Rapporteur on the human rights of internally displaced persons, Cecilia Jimenez-Damary, visited El Salvador at the invitation of the Government between 14 and 18 August 2017. She held consultations with senior government representatives, United Nations bodies and agencies, national and international civil society and non-governmental organizations (NGOs) and those experiencing internal displacement. The Special Rapporteur would like to thank the Government of El Salvador for its excellent cooperation and all those government representatives whom she met and who provided valuable information to her both during and after the visit. As described in A/HRC/38/39/Add.4, some recent efforts by the Government to try to tackle the lack of information on the internal displacement situation must be acknowledged. Specifically, the Special Rapporteur welcomes the launch of the profiling study on internal mobility due to violence in El Salvador[1], led by the Ministry of Justice and Public Security. The study, carried out through a nationally-representative statistical methodology, identified that 1% of the sample had been internally displaced due to violence between 2006 and 2016. These results can be extrapolated to the total population in the country, indicating that at least 71,500 people were displaced in El Salvador in that timeframe.

2. The Special Rapporteur met officials, including the Minister of Foreign Affairs, the Deputy Minister of Justice and Public Security and ministry officials (the director of the national civil police, the director of the victims and witnesses programme, and General Directorate of Migration and Foreign Affairs) and the Minister of Governance and Territorial Development. She met with representatives of the Public Defenders' Office, members of the Legislative Assembly and Supreme Court of Justice, magistrates of the Constitutional Chamber, and representatives of the National Council on Citizen Security and Coexistence, the Human Rights Ombudsman's Office, the National Council for Children and Adolescents, and the Institute for Comprehensive Child and Adolescent Development. She also met with municipal mayors and other municipal officials and she visited the Migrant Reception Centre at La Chacra. She consulted ambassadors and other members of the diplomatic community.

3. The Special Rapporteur also met the United Nations country team, and would like to thank its Resident Coordinator and the rest of the team, as well as representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and others who provided outstanding support and information relating to issues of internal displacement. She also thanks the Office of the United Nations High Commissioner for Human Rights for its valuable support in the preparation and conduct of her visit. She visited victims of internal displacement and their representatives and thanks in particular community members, activists, and representatives of civil society organizations who met with her and provided essential information.

4. The Special Rapporteur's visit focused on displacement caused by generalized violence, particularly by organized criminal gangs. She emphasizes that this cause of internal displacement falls clearly within the scope of the 1998 Guiding Principles on Internal Displacement, which establish that internal displacement can be caused by factors including conflict, natural disasters, development projects and, most significantly in the context of the visit to El Salvador, as a result of generalized violence. While many associate internal displacement most readily with conflict and disaster, it is important to recognize that Governments have an obligation to prevent and respond to displacement caused by generalized violence and to protect the human rights of those internally displaced by it to the best of their ability and resources.

[1] The profiling study is available on the following website: http://www.seguridad.gob.sv/caracterizacion-de-la-movilidad-interna-a-causa-de-la-violencia-en-el-salvador/.

II. The context of violence-induced internal displacement

5. While gangs have existed in El Salvador since the end of the civil war in 1992, reports suggest that gang membership has increased dramatically since the early 2000s as Salvadoran gang members were deported in significant numbers from the United States of America and continued criminal activities in El Salvador. The police and military are reportedly significantly outnumbered by gang members. Unverified estimates of gang membership put the number of gang members at over 60,000 (out of a total population of 6.5 million people), while many more may be associated in some form with gangs. This compares with roughly 25,000 police officers and some 13,000 armed forces personnel deployed to combat gang-related crime. The gangs reportedly maintain a presence in some 247 out of the 262 municipalities, which implies that their influence extends throughout the country. The Mara Salvatrucha, or MS-13, is the largest gang with some two thirds of total gang members; its main rival is the 18th Street (Barrio 18) gang. The control of territory and influence over communities is fundamental to gang operations and ethos, and gangs frequently violently dispute the control of territories.

6. Salvadoran gangs, known as *maras*, carry out numerous criminal activities, including robbery, drug dealing, gun sales, prostitution, murder and human trafficking. They are not generally involved in the international trafficking of drugs. Evidence indicates that much of their criminal income is derived through extortion, often small scale and localized in nature and affecting even the smallest business, such as local bus operators, while even the largest businesses may also pay the gangs. Demands are made to business operators often with the threat of "pay or die". Gang-related violence is estimated to cost El Salvador some $4 billion a year, according to a study[2] by the country's Central Reserve Bank, with up to 70 per cent of businesses facing extortion. Nevertheless, other than some gang leaders, most gang members are young people from poor communities; their criminal activity usually nets them only a small income, which keeps them in relative poverty.

7. The Special Rapporteur was frequently informed about the legacy of extreme violence stemming from the brutal civil war between 1980 and 1992, in which some 75,000 people were killed. The Spanish term for internally displaced persons, *desplazados*, continues to have strong civil war connotations, which the Government and others see as highly undesirable today. Some government officials highlighted that the present violence and internal displacement should be recognized as entirely different from the era of the civil war in which there was State-sponsored violence, disappearances, internal displacement and other human rights violations. There is consequently a reluctance to acknowledge the phenomenon or even use the term "internal displacement" due to such associations.

8. To bring the recent levels of violence into focus, in 2015 the murder rate reached 103 per 100,000 inhabitants, making El Salvador the most violent country in the world. There were 907 homicides during the month of August 2015 alone, the highest number since the end of the civil war. While the homicide rate reduced significantly in 2016 (to 81.7 per 100,000), according to national civil police data, 3,375 violent deaths were registered between January and 7 November 2017. On average, 11 people were murdered every day. In just one week between 21 and 28 September 2017, 196 people were killed, including 3 police officers and 2 military personnel, equating to an average of 28 murders per day. Official statistics suggest that around two thirds of homicides in 2015 were committed by gang members.[3]

9. Despite some reductions in the overall rates since the peak in 2015, judged by any standard, this homicide rate and the associated crime, threats, intimidation and environment of fear constitute an epidemic of generalized, gang-related violence, with levels equivalent to or above most conflict-affected countries. A symptom of such an epidemic of violence and homicide is witnessed in what many describe as crisis levels of internal displacement. Nevertheless, this is a situation that remains officially unrecognized by the Government.

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[2] See www.bcr.gob.sv/bcrsite/uploaded/content/category/1745118187.pdf.

[3] D. Cantor, "As deadly as armed conflict? Gang violence and forced displacement in the Northern Triangle of Central America", *Agenda Internacional*, vol. 23, No. 34 (2016), pp. 77–97.

10. The Special Rapporteur met with numerous representatives of indigenous peoples, who described their concerns related to internal displacement. They described a long history of displacement and threats to their existence on their ancestral lands. While they are also affected by the widespread crime and violence in the country, some also noted their concerns, which included problems relating to land rights and titles and their struggle to maintain ownership and access to ancestral lands, as well as large-scale development projects, such as dams, mining activities and infrastructure development implemented by the Government and large corporations. Some noted that members of their communities had been killed trying to protect their rights as indigenous peoples. The Special Rapporteur emphasized that such allegations required investigation and the rights of indigenous peoples should be respected, including the right not to be displaced from their lands, according to standards such as the United Nations Declaration on the Rights of Indigenous Peoples and the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization.

III. Displacement figures and patterns

11. The phenomenon of internal displacement is characterized by numerous and dispersed displacement of individuals and families from different localities due to localized acts of violence, threats or intimidation, rather than mass displacement as may be witnessed during internal conflicts, for example. Consequently, the actual number of those affected by internal displacement is hidden as victims seek anonymity and, for some, routes out of the country to find safety elsewhere. Tracking the numbers and internal displacement trends is therefore extremely difficult and statistical quality data is vital to reveal the full extent of the problem, including not only the numbers of those affected, but their circumstances, locations, vulnerabilities and protection issues. This is essential to begin to find effective solutions for many hidden and anonymous victims.

12. There is a striking disparity between government figures on those internally displaced by violence and those of civil society and international organizations and clarity is urgently required. While some international organizations have put numbers displaced by violence in the tens or even hundreds of thousands[4] (while recognizing the need for caution due to the challenges in gathering accurate data), the Government, through the Ministry of Justice and Public Security, informed the Special Rapporteur that the numbers of internally displaced persons were only in the hundreds and that the problem had been massively overstated. Government sources frequently downplayed the extent of the problem, in marked contrast to credible evidence and information provided by civil society and some national officials, including the Public Defenders' Office and the Ombudsman.

13. The Special Rapporteur welcomes the profiling study on internal displacement conducted by the Government in cooperation with UNHCR, the Joint Internally Displaced Persons Profiling Service and others, which was due to be finalized soon after her visit. The main objective was to obtain reliable information about the magnitude and trends of internal displacement due to violence and organized crime. This has the potential to be an essential resource, providing a necessary evidence base for all stakeholders and helping the Government to plan, design and implement adequate institutional responses to offer protection, assistance and durable solutions to internally displaced persons. It is vital that the findings of the report are transparent and that it should be made public as soon as possible.

14. Nevertheless, key national bodies, including the Supreme Court, the Public Defenders' Office and the Ombudsman's Office, all expressed concerns about the extent of

[4] The Internal Displacement Monitoring Centre states that, in 2016, there were 220,000 new displacements due to violence, while in 2015, the NGO International Rescue Committee estimated that the number of displaced individuals was approximately 324,000, or 5.2 per cent of the country's population.

internal displacement. Records maintained by civil society organizations[5] relating to those that they record or assist show that the number of internally displaced persons or those at risk of displacement who requested protection increased to 699 in 2016, in addition to the 623 victims that were assisted in 2014 and 2015. Several cases of collective displacements were registered in 2016, with at least eight reports of such cases (the most well reported involved more than 50 families in the municipality of Caluco). The Special Rapporteur emphasizes that the cases and figures recorded by civil society and bodies such as the Ombudsman's Office reflect only the tip of the iceberg of internal displacement, which mostly remains a hidden phenomenon.

15. Civil society sources suggested that the number of cases of internal displacement reported to the authorities, including the police and the public prosecutor's office, is extremely low in comparison with the number of actual cases. One interviewee stated that "displaced people try to solve their situations on their own here". Many keep a deliberately low profile and are located with host families or friends or in rented accommodation and are therefore difficult to locate and reach with information or assistance. In view of the nature of their displacement due to threats or violence, many are thought to seek to hide their locations and blend into urban centres in which they can be anonymous and invisible to the gangs who threaten them and the authorities. This makes gaining access to them by the authorities or humanitarian organizations extremely difficult.

16. The 2016 report on forced displacement by the organizations that compose the Civil Society Round Table against Forced Displacement by Generalized Violence and Organized Crime in El Salvador shows that forced displacement affects men and women to a similar degree. Among men and boys, the group most affected by forced displacement are those in the 18–25 age range, followed by those in the 0–11 age range. Among women and girls, those most affected are girls between the ages of 0 and 11 years, followed by women between the ages of 18 and 55.[6] A similar situation of vulnerability affects the lesbian, gay, bisexual, transgender and queer population, which represents an additional vulnerability factor, either by direct attacks motivated by discrimination or hatred and/or where it is an additional risk factor for the violence suffered by the victims.

17. Civil society groups emphasized the problem of neglect and abandonment of internally displaced persons and a lack of recognition of the problem in public policy documents. The extent of the problem and the lack of protection or assistance for internally displaced persons has led some to identify the situation as a humanitarian and protection crisis reminiscent of some conflict situations in terms of the numbers of people affected and the nature and extent of the challenges. These challenges include vulnerability to violence or death, poor access to health care, exclusion from education and lack of livelihoods or income, leading to poverty or extreme poverty. The Special Rapporteur met with community activists, NGO representatives and internally displaced persons in a number of locations. The perceived threat to them was such that meetings were held in undisclosed locations and under conditions of tight security.

IV. Impact of violence on individuals, families and communities

18. The Special Rapporteur was informed of the devastating and extraordinary impact of generalized and, in particular, gang-related violence on individuals, families and communities. Gangs control or dominate some, predominantly poor, territories and populations through threats, intimidation and violence and a culture of violence that infects whole communities and peoples' everyday activities, movements, interactions and relationships. Killings are commonplace and extortion of individuals and small businesses is widespread and seen as a "tax" on local communities by the gangs. Many of those

[5] See www.wola.org/wp-content/uploads/2016/09/Informe-testimonial-sobre-desplazamiento-forzado-1.pdf.

[6] See https://static1.squarespace.com/static/5784803ebe6594ad5e34ea63/t/5880c66b2994ca6b1b94bb77/1484834488111/Desplazamiento+interno+por+violencia+-+Informe+2016.pdf.

affected by extortion live in gang-affected neighbourhoods and consider that they simply have no choice but to pay or to flee their homes and neighbourhoods. Under threat from the gangs, individuals or whole families would simply disappear, leaving their homes abandoned or selling them cheaply if they could.

19. The extent of violent crime is such that there is often no investigation carried out into even the most serious crimes, including homicides, resulting in a general lack of faith in law enforcement and the criminal justice system. The criminal conviction rate in El Salvador is less than 5 per cent.[7] Such a situation indicates a deeply worrying law enforcement deficit and demonstrates that the police and the investigation service are overwhelmed and underequipped to respond to the challenges they face, including the extraordinary levels of homicide. It also creates and perpetuates an environment and society in which gangs can flourish and function with almost absolute impunity from prosecution for even the most egregious crimes. This leads individuals and families, who see no prospect of remedy or protection in reporting violence to the authorities, to see their only option as fleeing their homes and communities to find safety.

20. Young people cannot lead normal lives in some gang-controlled neighbourhoods and it is virtually impossible to avoid exposure to gangs. Community members described being unable to let their children go out to play for fear that they would fall under the influence of gang members. Crossing from one gang-controlled neighbourhood to another could result in death for a young person if they move without care or permission. In other cases, the only way for them to stay safe is not to leave their homes at all. Simply living in a known gang neighbourhood could result in young people being suspected of being gang members or associated with them, and some described incidents of violence or intimidation by both the gangs and the police or military. One young woman stated: "It is a crime to be a young person in El Salvador today. It is dangerous to be young here." This depressing sentiment was echoed numerous times, including by senior public officials.

21. Violence and internal displacement have an enormous impact on children. In a kindergarten that the Special Rapporteur visited, she was shown the pictures made by young children who had responded to the question "what do you fear" by depicting men with guns and masks and families leaving their homes. When community members were asked what they wanted for the future, they described their hopes for a normal life with safe neighbourhoods, secure streets and the everyday interactions and activities that they were currently deprived of — a life without the threat of gang violence or an oppressive police and military presence. While community members said that they felt that not enough was being done to tackle the violence and establish the rule of law, they also noted that they feared the police and armed forces when they came into their communities.

22. Internal displacement has a considerable impact on access to education. Schools in some localities are no longer considered safe spaces for children, teachers are threatened, gangs operate within and around some school facilities where they recruit children, expose them to gang-related criminal activities, and identify girls as sexual targets for gang members. The Special Rapporteur was informed that children could be stopped on their way to school by gang members and could be beaten or even killed for refusing to join or assist a gang. Very high dropout rates from schools are partially attributed to violence and the displacement of families.

23. Data from the Ministry of Education showed that approximately 3,000 students (majority girls) had dropped out of public schools in 2015 explicitly because of gang threats. Separate data from the Ministry demonstrated that 15,511 students dropped out of all levels of public and private schools in 2015 because of crime and another 32,637 students left because they changed residence. NGOs suggested that changes in residence were often the result of forced displacement.[8] Those that have documented cases and support internally displaced persons highlighted that, over a period of 18 months to mid-

[7] Between 2013 and 2016, of the 662 complaints filed by the public prosecutor's office, only 5 per cent resulted in a conviction.

[8] See www.state.gov/documents/organization/265798.pdf.

2015, not one displaced child was in school.[9] Some families are in hiding or confined to safe houses, restricting their access to education to what can be provided by support organizations. Lack of documentation is another barrier to access to education for displaced children. Children seeking to register at new schools require a certificate from the previous school, which may be difficult or dangerous to obtain.

24. Victims describe a daily life in which they negotiate with, and acquiesce to, criminal groups over basic aspects of their lives, such as freedom of movement, and whether and where to attend school and work, access medical care and seek justice. They also balance their safety and security against coercion by succumbing to blackmail, collaborating in criminal activity, submitting to sexual abuse and forced relationships and joining the ranks of criminal organizations themselves. Resistance can trigger threats and violence. Victims of violence and displacement faced stigmatization and discrimination based on their perceived association with criminal organizations. Public officials regularly associated them with "the enemy" rather than recognizing them as citizens with a right to protection.

25. The Special Rapporteur was informed by the Ombudsman of one case that had taken place during her visit, in which a family that had been the subject of extortion had found a hand grenade placed at their front door with a note informing them that they had 48 hours to leave their home or be killed. The case came to the attention of the Ombudsman's Office since the family made the decision to flee, could not return home and there were no State-provided shelter options for their protection. A temporary solution was to house the family in a hotel, while the Ombudsman expressed concern and frustration that no options for protection and relocation were available to them to support such families.

26. The lack of secure shelter options for internally displaced persons and families leaves them living in highly precarious and vulnerable conditions, and under continuing risk of violence. Some may have to relocate multiple times before finding permanent shelter and may have limited or no access to services, such as education for their children or health-care provision. The possibilities for abuse, particularly of single women or women with children who lack financial resources or familial ties, are considerable and include the risk of trafficking in persons. In addition, the impact of internal displacement on host families, often themselves living in conditions of economic and social hardship or poverty, must be taken into account.

27. Street gangs pose a constant threat to young women and girls, who are particularly vulnerable to threats, intimidation and violence, including rape. Sexual violence by gangs is commonplace, and high levels of femicide have been recorded. The general risk to girls from the gangs leads many families to leave. For those who remain and become voluntarily or through coercion associated with gang activities, this can result in violence or prison for some. Women whom the Special Rapporteur met, some in secret safe houses, described their experiences of threats and violence by gang members, leading them to flee their homes. One displaced woman who refused to help a gang commit a kidnapping was raped and forced to flee. Another said that her gang-member boyfriend and the father of her child had grown increasingly violent and that she had to leave to protect herself and her son.

28. In 2016 alone, 524 women were killed, according to the Institute of Forensic Medicine.[10] While not all deaths are attributable to gang violence and the incidence of domestic violence and killings are high, a significant percentage are gang related. The number of femicides noticeably decreased during the period of a gang truce negotiated with the Government from 2012 to 2013. After the truce broke down, during 2015 and 2016 the numbers almost doubled, with 573 and 524 cases, respectively. The Special Rapporteur on contemporary forms of slavery, including its causes and consequences, visited El Salvador in August 2016, and stated that gangs were responsible for forced disappearances, forced

[9] S. Reynolds, *It's a Suicide Act to Leave or Stay: Internal Displacement in El Salvador* (Washington, D.C., Refugees International, 2015).

[10] See www.univision.com/noticias/america-latina/300-feminicidios-al-ano-no-son-nada-en-el-pais-mas-violento-del-continente.

recruitment of children and for the subjugation of women, including forcing young women and girls to become gang members' sexual partners.[11]

29. Members of the lesbian, gay, bisexual, transgender and intersex community, particularly transgender women, are highly vulnerable to violence and hate crimes. In a report published by the Ombudsman's Office, it was claimed that 53 per cent of the transgender women interviewed had reported having received death threats or being subjected to violence throughout their lives, while 46 per cent had claimed to have suffered attacks on their lives or physical integrity. Under such a threat of violence, many members of the community have been displaced internally, often on several occasions. The Special Rapporteur met transgender women who described threats, assassination attempts and intimidation by gangs, as well as by members of the police and military, and discrimination and abuse by all authorities. In one municipality, social media disseminated a message from a gang stating that every transgender person would be killed, leaving 14 people having to seek safety in San Salvador or abroad.

30. While some bodies, including the Counsel General's Office, have reportedly shown greater openness to lesbian, gay, bisexual, transgender and intersex issues and concerns and a willingness to act, to date no specific protection mechanisms exist. Representatives noted that many in the lesbian, gay, bisexual, transgender and intersex community lack the resources to live in safer neighbourhoods and have no choice but to live in poorer gang-affected localities. Transgender people sometimes seek relative safety by living together and establishing coping strategies. While no verified data exists, one community member stated that they had documented "between 600 and 700 homicide cases" against members of the lesbian, gay, bisexual, transgender and intersex community with over 500 transgender women killed. According to them, no cases have gone to court, no one has been prosecuted and few cases have been investigated. One case that was brought to court related to a gay man who was killed while visiting from the United States.

V. Legal, policy and institutional responses to internal displacement

31. At the time of the visit, there was no legal or policy framework in place for internally displaced persons and no registration system to record and monitor cases. The Ministry of Justice and Public Security stated that the numbers affected by internal displacement due to violence had been low and that their displacement was commonly temporary and quickly resolved, normally through return to their homes. The Special Rapporteur was informed that all victims were provided with assistance and protection under Government policies, including the Safe El Salvador Plan, which were having a positive impact on criminal activity. However, this position was in marked contrast to the views of the majority of other public officials, including senior judges and the Ombudsman, who acknowledged and described the extent of internal displacement and expressed their concern and frustration about the situation and the position of the Government.

32. Legal reforms in the context of extraordinary security measures were made in 2016 and included the classification of gangs as terrorist organizations. The reforms established new crimes aimed at gangs, including "coercing or threatening students or teachers in or around schools" and "resisting authority". The Government also focused on addressing the illegal restriction on freedom of movement of people and illegal occupation of property. The National Assembly reformed article 152 (B) of the Criminal Code to include the crime of "illegal limitation to freedom of movement", which penalized any person who, by violence, intimidation or threat to persons or property, prevented another from freely circulating, entering, remaining or leaving any place in the territory of the republic. While useful in the context of internal displacement, civil society representatives noted that it did not adequately encompass the crimes and the impact of internal displacement on victims or provide adequate protection for those displaced, while they also highlighted limitations to its implementation.

[11] A/HRC/33/46/Add.1.

33. The legislation relating to illegal limitation to freedom of movement requires the filing of a report to certify that the crime was committed in order to involve a State institution (national police, for instance) that can provide a response. In the current context of violence, civil society representatives state that most people do not file reports due to concerns about their safety because of the weak protection mechanisms provided by the State. Equally, while providing a limited legal protection framework that is relevant to aspects of the experience of internally displaced persons, it does not establish forced internal displacement as a specific crime resulting in a particular category of victims in need of protection, restitution of rights or durable solutions.

34. In 2006, the Supreme Court of Justice passed a Special Law for the Protection of Victims and Witnesses. While a positive step, it was noted that the Law focused on witnesses of crime and witness protection and did not include internally displaced persons as a unique category of victims requiring support, assistance and protection. The Law provides for measures to protect the identity and location of victims or witnesses; temporary or permanent protection through the provision of police escorts, temporary housing, or change of domicile or employment; and support measures to provide health care, psychological support and legal services, and help with housing, food, maintenance and employment. Urgent measures can be applied immediately and temporarily according to the risk, before a permanent solution is found.

35. In a landmark development between June and November 2017, the Constitutional Chamber of the Supreme Court adopted decisions that aimed to protect internally displaced persons — the first cases of internal displacement recognized by the constitutional courts. It issued four injunctions, including some ordering protective measures for families that had fallen victim to forced internal displacement due to threats, beatings, harassment and rape by gangs. These decisions use the standard of the Inter-American Commission on Human Rights, which states that the lack of an effective investigation of violent acts may favour or perpetuate forced displacement, thereby constituting a de facto restriction on the right of freedom of movement and residence. The victims claim violations of the rights to security, free movement, and jurisdictional and non-jurisdictional protection. Violations of some economic, social, and cultural rights were also included as effects of displacement.

36. These decisions emphasize the relevance of family protection in these cases, based on the criteria developed by the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights. Specifically, the Supreme Court ordered the national civilian police and the Counsel General's Office to take action, including by adopting the appropriate measures to ensure family integrity and security considering the threats against them; prosecuting those responsible in connection with all crimes related to the cases; and ensuring the victims' safe return to their homes. The Commission also granted precautionary measures in favour of one of the cases. The Commission and the Special Rapporteur issued a press statement welcoming the decisions[12] and urged the Government to recognize and adopt measures to prevent displacement and to protect the human rights of those who had been forced to leave their homes.

37. The Ombudsman has been a vocal advocate for greater attention to internal displacement in El Salvador and produced specific reports on the situation. Within its limited capacity and resources, the Ombudsman's Office provides legal assistance and psychosocial support to victims of forced displacement or those at risk of displacement, with support from UNHCR and civil society groups. Many cases are referred directly to civil society organizations with greater capacity to provide essential assistance, such as safe houses. In 2017, the Ombudsman's Office released its forced displacement registration report for 2016, in which it called for the Government to officially recognize the problem of internal displacement and to improve existing measurement and registration mechanisms among other measures.[13]

[12] See www.ohchr.org/EN/Issues/IDPersons/Pages/IDPersonsIndex.aspx.

[13] See https://www.wola.org/wp-content/uploads/2016/09/Informe-oficina-ombudsman-desplazamiento-forzado-en-El-Salvador-1.pdf.

38. The Government must be commended for taking important initiatives to address the significant challenges of violence. Most importantly, the Safe El Salvador Plan was frequently discussed by government officials and constitutes the most important element of government policy relating to preventing, addressing and reducing gang violence. The Plan was formulated under the auspices of the National Council on Citizen Security and Coexistence, established in 2014 and composed of institutions of the State, political parties, representatives of civil society and the international community, among others.[14] The inclusive process leading to the Safe El Salvador Plan constituted a positive practice in seeking to establish a comprehensive policy.

39. Launched in July 2015, the Safe El Salvador Plan focuses on the most violent and gang-affected municipalities and has several objectives, including the prevention of violence, prosecution of perpetrators, protection of victims of violence, rehabilitation and social insertion, as well as the strengthening of institutions. Significantly, it includes specific reference to internally displaced persons as being among those to be protected and assisted. Within this Plan, concrete priorities were established for the development of a legal and institutional framework for the protection of victims, the promotion of public policies on this subject and the development of a system of identification and registration of victims of violence underpinning all these efforts. The US$ 2 billion, five-year plan places a strong emphasis on prevention through initiatives, including employment projects, parks, sports facilities, education and training programmes for the country's 50 most violent municipalities. It also aims to curb the influence of criminal gangs in prisons, improve prison conditions and opportunities for rehabilitation, and ensure that victims of crime are supported and can obtain justice and reparation.

40. In the framework of the Plan, the Ministry of Justice and Public Security opened 11 local assistance offices for victims, with the goal of opening more during 2017. Located in prioritized municipalities, they demonstrate important progress by the Government in giving attention to victims of violence and offer professional assistance for victims of crimes, such as sexual abuse, trafficking in persons, violence against women and domestic violence. Services include legal, psychosocial and social assistance. UNHCR supported the programme by equipping facilities and providing technical assistance for the creation of a referral pathway for the identification, attention to and protection of victims.

41. While in practice they might play an important role, regrettably, the offices have no specific mandate or capacity to address internally displaced persons, which hampers their ability to provide services or proactively take measures to locate and support them. The Special Rapporteur was concerned that, despite such valuable initiatives, in practice there were insufficient protection mechanisms or protocols in place, including under the Safe El Salvador Plan, specifically focused on internally displaced persons. In addition, communities are greatly concerned by such elements as extraordinary security measures conducted in their communities, including joint police and military operations. One person whom the Special Rapporteur met said, "people are afraid of the Plan coming to their communities. People leave because of the police operations. Police perceive everyone to be a potential gang member."

42. The resources available to implement some elements of the Plan remain, in practice, constrained and the greatest proportion of funds (73.8 per cent) is allocated to the prevention of violence. This is despite positive government initiatives, including the introduction of a 5 per cent tax on individual telephone charges to help pay for the implementation of the Plan. Less than 5 per cent of funds available under the Plan are allocated to protecting victims and, in practice, almost none are likely to be available for internally displaced persons due to the lack of official recognition of them and their plight. Civil society representatives emphasized that victims should be the highest priority,

[14] The main objectives of the Council are to provide inputs to enrich policy and national plans for justice, citizen security and coexistence; facilitate dialogue with and across different sectors of society; propose action for the implementation of policies and follow-up on their execution; present periodic reports; and contribute to the identification of funding mechanisms.

including the identification of those displaced by violence or threats and that greater resources should be allocated to finding solutions for them.

43. Currently, ministries and other national institutions are restricted in their activities relating to internally displaced persons by factors that include the lack of institutional and political acknowledgement of internal displacement. Recognition and increasing the budgets and capacity of key institutions to respond must be part of wider solutions to the problem of internal displacement. For example, the Special Rapporteur met with the child and adolescent protection structures and institutions of the State — the National Council for Children and Adolescents and the Institute for Comprehensive Child and Adolescent Development — which were conducting essential programmes for those from such vulnerable groups. They do not specifically address the issues and protection needs of internally displaced children and adolescents. While they can adapt their services to address such cases to some extent, their role in the future could be greatly enhanced if their resources and capacity are improved and their mandate expanded.

44. A system of protection exists for women, run by the Institute for the Advancement of Women, has a small number of shelters available for women. However, these are geared towards domestic and other forms of abuse, rather than to assisting victims of internal displacement, who often fall through the protection net. Also, the Institute for Comprehensive Child and Adolescent Development operates several shelters. Such shelters operate according to strict age and gender criteria, and are usually unavailable to shelter displaced families. For example, some women's shelters do not accept children, while child and adolescent shelters cater to individual children and young persons and do not accept families, creating challenges in maintaining family unity.

45. Many officials and civil society representatives who acknowledged the crisis of internal displacement argued for the establishment of a legal, policy and institutional framework to specifically address the needs and vulnerabilities of internally displaced persons, as a distinct category of victims. The protection system as it currently exists should be improved to include a network of safe shelters for women, young people and adolescents, as well as men, assessed to be at risk of violence. Family unity is essential for internally displaced persons and the Special Rapporteur was alarmed to learn that there were few options for the protection of families together. She met one displaced woman who was told that she could not be provided with shelter together with her children and who risked separation from them until she was provided with a secure shelter solution by an NGO that allowed the family to stay together.

46. Some relevant national institutions with responsibility for the protection of victims, including women and youth, could be playing an active and important role in support of internally displaced persons, including the provision of such services as shelter, legal assistance, health care and psychosocial care and access to documentation. However, they currently take a reactive rather than a proactive approach to the identification of victims of forced displacement and base their figures and responses on the few cases that are brought to their attention. This leads to an underestimation of the actual number of cases and victims, which constitutes only a small percentage of the actual number forced to become internally displaced persons.

47. Despite the considerable challenges, solutions to internal displacement inside El Salvador must be sought. In order to provide viable protection options inside the country, for example, identifying safe locations for relocation should be undertaken across different municipalities, notably in those regions or municipalities with low rates of gang presence, to provide options while respecting the preferences of internally displaced persons. Nevertheless, all such solutions should be viable and should include not only housing and security but also appropriate livelihood options and service provision, including health care and education.

48. The Special Rapporteur was deeply impressed by civil society organizations and their dedicated staff who perform numerous functions in support of the victims of violence and for internally displaced persons in the absence of dedicated government assistance to them. They are filling a huge protection gap and many victims informed the Special Rapporteur that they found themselves entirely reliant on their support. The services that

they provide include secure shelters for internally displaced persons, including families who have no Government-provided shelter options. As mentioned above, a group of civil society organizations have formed a round table on forced displacement to coordinate their responses with those who seek their help. Government agencies and institutions and the Ombudsman's Office frequently rely on the members for help with the provision of essential shelter, for example.

VI. Impact of security responses on human rights and displacement

49. The influence of violence must be fully acknowledged and the need for an anti-gang policy, crime prevention and security measures is clear. However, periods in which an "iron fist" policy have been implemented have demonstrated that violence was exacerbated as gangs responded in-kind by increasing their levels of violence, armed response and homicide. Despite this, in early 2015, battalions of special-forces military personnel with authority to arrest and detain — and what many consider to be excessive powers, including the use of lethal force — were deployed in major cities and gang neighbourhoods to help police to combat the country's gang violence under a new policy of "extraordinary security measures". State policies that prioritize strong security measures over redress for victims were frequently stated as a cause for concern by civil society.

50. Community members told the Special Rapporteur that they feared aggressive and intimidating security strategies that appeared to criminalize entire neighbourhoods and consider ordinary community members as potential gang members or affiliates often based simply on where they lived. Steps to develop and implement genuine community policing initiatives are needed and should be enhanced through close and consistent community engagement. The Special Rapporteur was informed by numerous people that they had suffered violence and abuse by members of the national civil police. She heard allegations of extrajudicial killings and the re-emergence of extermination groups connected to the police and security forces. She notes that this has been strongly denied by senior government and security officials whom she met.

51. Several individuals whom the Special Rapporteur interviewed stated that they feared the authorities as much as the gangs. It is evident that the intensified security responses to violence are themselves a cause of internal displacement in some cases. Efforts are being made to confront and prevent abuses by such authorities, including internal investigation into allegations of police abuse. Measures to address and reduce the criminal structures and influence of the gangs must be sensitively implemented in consultation with the communities affected by violence. Allegations of police murder, brutality, corruption and connections to the gangs must be taken extremely seriously and investigated fully. Trust in the police is essential, but has deteriorated and must be rebuilt.

52. In December 2015, the Ombudsman's Office announced that between June 2014 and May 2015 it had received 2,202 complaints of human rights violations. Of these, 92 per cent were against the national civil police, the army and other State institutions responsible for combating crime. Those against the police alone represented 63 per cent of all complaints, while the army accounted for 11 per cent. The majority of complaints pertained to mistreatment, intimidation, and arbitrary searches and arrests.[15] However, other cases related to killings that might constitute summary or arbitrary executions.

53. While much of the violence is inter-gang or perpetrated against local community members, attacks by the gangs on the police and military have reportedly increased.[16] By May 2015 there had been some 250 attacks on security forces personnel reported in that year alone. The security forces are operating in high-risk environments in what some describe as "low-intensity warfare". The Special Rapporteur acknowledged the difficult tasks facing police officers and soldiers and regretted that they and their families had also

[15] See www.insightcrime.org/news/brief/reported-abuses-by-el-salvador-security-forces-up-official.

[16] See Reynolds, *It's a Suicide Act to Leave or Stay*.

been targeted by the gangs with many killed or displaced. The police may live in neighbourhoods affected by gang violence and hide their identity as police officers. Also, the high-risk environment may result in more repressive security operations. Even some judges have faced threats and transferred to safer locations so that they and their families could live in safety.

54. While the Government highlights the reduction in homicides due to its security policies, some civil society representatives and community members noted their perception that in fact there may have been a reduction in the reporting of violent crimes generally. They stated that this was due to an ongoing and increasing lack of trust in and fear of the security forces in the context of extraordinary security measures and allegations of abuse by them, which they suggested could make people less likely to report violence generally. They cited some high-profile incidents of alleged killings of both gang members and apparently innocent civilians by the police (i.e. San Blas).[17] One interviewee stated that "the police are like a new gang, harassing communities and keeping them under watch".

55. In late 2016, El Salvador, Guatemala and Honduras launched a task force, comprised of police, military, intelligence, migration and customs officials, with the objective of creating a regional security capability and institutional cooperation across the three countries to address the activities of criminal gangs. While this demonstrates valuable regional consensus and joint action on the challenges of gang violence, there remains a lack of a consistent political approach and recognition of the issues relating to internal displacement. Currently, Honduras has been the only Northern Triangle country to fully acknowledge the situation and begin a process to establish legal, policy and institutional frameworks.[18] Further joint regional initiatives would help to confront gang violence and internal displacement through regional cooperation, exchanges of positive practices and solidarity to address the challenges.

VII. Internal displacement as a staging post in migration

56. It was frequently emphasized that El Salvador had particular challenges in providing protection from violence due to its small size and the extent of influence and networks of gangs. Several senior officials acknowledged that, owing to the lack of protection options for many of those at the greatest risk of violence, the only viable choice remained to seek relocation and protection outside the country. Many displaced by violence end up joining irregular migrant routes. They frequently find themselves detained, deported and returned to El Salvador, where they may return to a situation of risk, internal displacement, continuing threats and diminished resources. For young persons, young women and members of the lesbian, gay, bisexual, transgender and intersex community in particular, this creates a downward spiral of vulnerability as resources dwindle and their vulnerability increases.

57. The figures and trends for those from El Salvador seeking asylum abroad are troubling. According to UNHCR,[19] there were 17,196 new asylum applications submitted by Salvadorans in North and Central American countries between January and June 2016, a 76 per cent increase in comparison with the same period in 2015. Also, in 2016 there were 52,400 Salvadorans returned from Mexico and the United States. Some 16 per cent of adults and 32 per cent of children reported leaving the country due to insecurity and violence. Due to concerns about protection, many deportees may not return to their communities of origin and either continue their participation in irregular migration routes or

[17] The *San Blas* case refers to a case in which eight people were killed during a police operation in March 2015, resulting in a court case and subsequent ruling that the police had acted illegally with regard to the killing of some individuals. See www.wola.org/analysis/amid-rising-violence-el-salvador-fails-address-reports-extrajudicial-killings.

[18] See the report of the former Special Rapporteur on the human rights of internally displaced persons on his visit to Honduras conducted in 2015 (A/HRC/32/35/Add.4).

[19] See http://reporting.unhcr.org/sites/default/files/UNHCR%20El%20Salvador%20Factsheet%20-%20March%202017.pdf.

become internally displaced in El Salvador. UNHCR, with NGO partners, is implementing projects to identify those with protection needs and provide essential assistance and protection to internally displaced persons in the context of a protection working group established in 2016, which it leads.

58. The Special Rapporteur visited the Migrant Reception Centre at La Chacra, which receives some 52,000 returnees to El Salvador annually. The Centre provides excellent services for those returning, many of whom are vulnerable, including unaccompanied minors, with dignity and care and provides essential short-term support. Many of those returnees are not able to return to their original homes and may therefore return to situations of internal displacement and possible threats of violence. The Special Rapporteur welcomed the important work of the Centre. She expressed her hope that the service and process may evolve to include a more comprehensive screening of protection concerns for individuals and families, as well as being able to refer those who may be internally displaced to a dedicated protection framework.

59. Currently, such a protection framework is absent and the Special Rapporteur urged the Government to take concrete steps to address this protection gap. Such steps might include, for example, the provision of secure temporary shelters, particularly for internally displaced women, girls and young persons at risk of violence. Currently, there are few such essential support facilities in place in the country. Where people feel that they are unable to return to their places of origin due to fear of violence or other factors, it is necessary for the Government to develop comprehensive and viable options for local integration or relocation and resettlement in other parts of the country as part of a strategy of support and durable solutions for internally displaced persons.

60. The label of "economic migrant" is often applied by receiving countries, which does not account for the unique circumstances of threat, fear and lack of options facing internally displaced persons or refugees. Also, the Government of El Salvador also accredits high rates of cross-border movement mostly to economic factors or a desire to be reunited with other family members, which undermines protection concerns and asylum claims. While it is acknowledged that many do turn to migrant routes for economic and other reasons, it must also be recognized that many are victims of violence and the culture of fear and have legitimate protection issues.

61. Civil society groups and media sources have documented a significant number of incidents across Northern Triangle countries, in which those who had been returned to their countries, including El Salvador, had been killed by gangs or returned to highly precarious situations. In view of the current situation of violence, the Special Rapporteur hopes that asylum seekers from El Salvador in all countries will be provided with appropriate due process, consistent with the Convention relating to the Status of Refugees and regional standards for protection, and the opportunity to demonstrate their protection concerns. She also urges States in the region to maintain or implement protection measures and practices, such as the temporary protected status programme implemented by the United States, which up to 2017 included citizens of El Salvador affected by violence.

VIII. Addressing root causes of internal displacement

62. It is essential to address the root causes of internal displacement and important measures have been taken in this respect, including in the context of prevention under the Safe El Salvador Plan. It was frequently emphasized that poverty, economic underdevelopment, marginalization and social deprivation are important factors leading to the structures and activities of gangs. The most affected neighbourhoods and communities are commonly also the poorest and low income localities. Poverty is consequently a key cause of gang membership and it is a sad reality that, as one interviewee described it, "the poor are displacing the poor". These neighbourhoods, in which opportunities are limited, jobs are few and incomes are low, are fertile recruiting grounds for the gangs. Consequently, solutions must go beyond security responses, be holistic and long-term, involving important developmental and economic measures, including job creation, in the short, medium and long terms.

63. Investment in prevention of violent crime is essential and yet currently underresourced despite the Safe El Salvador Plan. The Special Rapporteur was impressed by some social programmes under way in gang-affected municipalities, including Mejicanos and Cuzcatanzingo, that she visited. Municipal mayors emphasized initiatives to provide training and entrepreneurial grants, establish community councils, reclaim public spaces from gang activity and control, and engage the communities and young people in social projects. They constitute important elements of social recovery and community resilience against gang activities. Also, providing and improving pathways out of gang membership is also an important element of measures to erode gang recruitment and influence. In this regard, there remains a need for rehabilitation facilities and refuges, programmes to reintegrate former gang members into society and gang-prevention initiatives aimed at high-risk neighbourhoods and young persons.

64. The five-year development plan of El Salvador can and should be an important element of longer term prevention and solutions in line with achieving the Sustainable Development Goals. Also, the international community should continue to play an important support and assistance role, cooperating and helping to fund vital initiatives to help break the cycle of gang violence and internal displacement and promote social, economic and other solutions for those affected by poverty, violence and internal displacement. Strengthening regional approaches and cooperation in the struggle to confront gang-related violence and internal displacement would be highly positive, recognizing the common challenges shared by Northern Triangle countries.

65. In this regard, the Alliance for Prosperity in the Northern Triangle, under which Northern Triangle countries agreed a set of guidelines and a plan to promote prosperity and create development conditions that will allow people to remain in their countries. The strategic actions of the Plan are aimed at (a) stimulating the productive sector to create economic opportunities; (b) developing opportunities for the people; (c) improving public safety and enhancing access to the legal system; and (d) strengthening institutions to increase people's trust in the State. The plan constitutes a macrolevel economic initiative involving cooperation across the three countries concerned. It should be noted that in October 2017, El Salvador unfortunately decided not to join the Comprehensive Regional Protection and Solutions Framework for Central America, which aims to address in a comprehensive manner the root causes of violence, as well as the multiplicity of factors that are forcing persons to move from and within countries in the Northern Triangle.

IX. Conclusions and recommendations

66. **El Salvador has been described as the most violent country in the world that is not at war. The extraordinary violence and internal displacement that it causes is a hidden tragedy and publicly unacknowledged crisis. Victims of violence and displacement have no choice but to take their safety into their own hands due to the lack of any effective protection system for internally displaced persons provided by the State. For many, this means seeking anonymity and avoiding contact with gangs and with the authorities, which they do not trust to protect them. The Government, while acknowledging the extreme extent of the violence, including through implementation of extraordinary security measures, has nevertheless failed to acknowledge the crisis of internal displacement that is an evident symptom of such violence. This is an essential yet missing step towards providing the necessary protection and durable solutions for internally displaced persons.**

67. **Despite some reported reductions in the overall homicide rates, the current situation constitutes an epidemic of homicide and gang-related violence, with death rates above most conflict-affected countries. The Government, as primary duty bearer, must ensure that it fulfils its human rights obligations to respect, protect and fulfil the human rights of internally displaced persons. Equally, those who are displaced must be aware that they are victims of violations of their human rights and of their entitlements under national and international law and standards for them to claim their rights. Recognition of the problem of internal displacement must be**

rapidly followed by legal, policy and institutional frameworks for the protection of internally displaced persons.

68. Lack of recognition of internal displacement leaves a huge category of victims of violence unprotected and vulnerable. This constitutes a serious omission, derogation of responsibility and failure to protect internally displaced persons. Equally, the overwhelming number of homicides and the inability or failure to investigate and prosecute such crimes creates a culture of lawlessness, impunity and fear. Credible reports of extrajudicial killings and death squads mobilized against the gangs constitute evidence of a failure of policy and the rule of law. Heavy-handed security responses have resulted in a breakdown of trust in the police and military, which must be reversed. Review, and where necessary reform, of policing and justice institutions that are not fulfilling their responsibilities and have lost the trust of those they serve is required. Communities must feel that security personnel are there first and foremost to protect them.

69. The Safe El Salvador Plan is a valuable contribution to efforts to prevent and address violence and protect victims. However, it must be adequately funded and implemented comprehensively and consistently with international human rights standards. It should be strengthened to effectively extend protection to internally displaced persons. While the Government has the duty and obligation to address the challenges of gang-related violence through policing and security responses, these must at all times be appropriate and proportionate to their objectives, while guaranteeing the protection of the civil and political rights of the general population, as well as those of gang members. The work and accomplishments of the police and security forces are acknowledged despite the grave challenges that they face, including the high death rates among them.

70. While legislation and policy development dedicated to addressing internal displacement would provide an essential foundation, in view of the reality of displacement it is essential to rapidly establish and maintain an integral functioning protection system for internally displaced persons. Strengthening institutional attention to internal displacement is essential, including establishing a clear institutional focal point and effective coordination mechanisms among relevant ministries and other entities. Moreover, there is a need to include the participation of internally displaced persons, who are entitled to participate in the decision-making processes relevant to them.

71. A perception exists, even among some government officials, that the only safe solution for those forcibly displaced is relocation outside El Salvador. It must be acknowledged that internal displacement is driving Salvadorians to flee in the region, not only to the United States of America and Mexico, but increasingly to Costa Rica, Nicaragua and Panama. Despite the challenges, national level solutions must be sought that provide viable options for those forced to flee their homes to remain inside El Salvador if they so wish. For those facing genuine protection concerns, asylum outside of the country must always remain a viable option of last resort and receiving States must fulfil their obligations in this respect, including on non-refoulement.

72. To date there is an overreliance on civil society organizations as providers of services to internally displaced persons. The services they provide are critical to those at risk and these organizations must be supported and better resourced to continue their vital work. Nevertheless, they are taking on functions that the State should be fulfilling as part of its responsibilities and obligations under human rights law and standards and as a component of good governance of the internal displacement situation. The Special Rapporteur was saddened to learn that some human rights defenders working for these civil society organizations have been the victims of threats themselves; providing adequate protection measures for them is also a responsibility of the Government.

73 The Special Rapporteur makes the following recommendations.

74. The Government of El Salvador should:

(a) **Publicly acknowledge internal displacement and commit to developing appropriate legal, policy and institutional frameworks for the protection of and assistance to internally displaced persons. Including forced displacement as a specific crime in the Criminal Code will be an important step in this regard;**

(b) **Finalize and publish the findings of the profiling exercise that was carried out, as well as undertake additional data collection and analysis to build a comprehensive picture of the internal displacement situation, identify trends, patterns and risk profiles, and understand the location, needs, protection concerns and intentions of internally displaced persons;**

(c) **Adopt a national legal and policy framework to prevent and respond to internal displacement in accordance with the Guiding Principles on Internal Displacement;**

(d) **Establish an institutional focal point with an appropriate mandate and budget to effectively to implement the legal and policy framework on internal displacement, working across relevant line ministries and in cooperation with United Nations organizations and other national and international partners;**

(e) **Create a viable route for protection and attention to internally displaced persons, including dedicated, specific measures for families, women and girls;**

(f) **Provide secure shelter facilities for internally displaced women with the capacity to accept families, supported by specially trained staff while providing short and medium-term accommodation and support, including psychosocial services, as required;**

(g) **Ensure appropriate budgets to address internal displacement, based on legal and policy frameworks to implement policy measures and programme responses, including at the local level;**

(h) **Give a high priority to locating and providing information and assistance to internally displaced persons throughout El Salvador, including the establishment of a national registration mechanism, operating on inclusive principles and with a focus on the most vulnerable and at-risk individuals and families;**

(i) **Implement a national information campaign, including helplines established as a first means of interaction between internally displaced persons and national or local authorities.;**

(j) **Expand the role of the Directorate for Migrant Care in order to strengthen the identification of deported persons and their protection needs, as well as to develop protection mechanisms and reference pathways for them from the moment of their arrival in the country, when they cannot return safely to their communities of origin due to threats to their life or freedom or of other serious harm. Improve and guarantee security for schools, students and teachers in close consultation with teachers and, where necessary, provide specially trained staff and security measures within or in close proximity to schools;**

(k) **Ensure close consultations with and participation of internally displaced persons to ensure that policy or programme measures meet their needs without putting them at additional risk. Protective measures, including witness protection, should be closely tailored to needs and risk profiles;**

(l) **Identify viable family relocation sites within different departments that provide safe options for the temporary or longer term needs of internally displaced persons with appropriate security and measures to support employment;**

(m) **Review current policing and security policies, practices and structures, including the employment of extraordinary security measures in order to assess their effectiveness and impact on communities and ensure their compliance with human rights standards;**

(n) Ensure prosecutions and access to justice for victims in cases in which crimes have been committed by serving officers;

(o) Enhance community policing and security methodologies, while ensuring sensitivity towards and full consultation with traumatized communities, and take all the steps necessary to create a culture of service, integrity and professionalism based upon human rights standards and national law, while undertaking steps to enhance law enforcement capabilities;

(p) Deploy female police officers as part of wider initiatives to prevent and address violence against women and displaced women and ensure that all members of the police and security forces undergo gender training;

(q) Investigate allegations of extermination groups or death squads conducting summary or arbitrary execution of gang members or suspected gang members in the context of enhanced security measures and bring those found guilty of crimes to justice;

(r) Expand the capacity of national bodies for the protection of women to include programmes and services for internally displaced women and girls, with budgets and capacity sufficient for them to become operational in delivering protection and support initiatives;

(s) Enhance engagement with the lesbian, gay, bisexual, transgender and intersex community to create a dedicated and viable protection process and mechanisms recognizing the heightened risk facing some individuals, particularly transgender women.

The role of regional countries and the international community

75. The regional dimensions of the problem of violence and internal displacement must be acknowledged by regional countries and the international community and appropriate international support should be provided to assist the Government of El Salvador.

76. The principle of non-refoulement, the right not to be returned to a place where one would likely face threats to one's life and freedom or other serious harm, must be adhered to by all States receiving asylum seekers.

77. The immigration policies of receiving countries should ensure that everyone has an adequate opportunity to present their concerns regarding protection, receive adequate screening to access their claims and claim asylum where appropriate.

78. The United Nations and the wider international community should enhance the provision of technical assistance, funding and resources to the Government of El Salvador.